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FACSIMILE COVER SHEET

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From: *David Bogart Dort* Date *March 26, 2005*

Cover Sheet & *6* pages Billing No. VRBA.P007.B

SERIAL NO. 10/786,177 *

Return to William F. Busch *Fax: 202-318-7729 (Washington, DC)*
NAME Fax OFFICE LOCATION

ATTN: TECHNOLOGY CENTER 3600

RE: 10/786,177

In the matter of the above-referenced Application please find attached:

(1) Certificate of transmission 37 CFR 1.8;

(2) Renewed Petition to Make Special (6 pages)

(3) The Commissioner is authorized to charge Deposit Account 50-3068 (Docket 3510-2-7-B) for any underpayments to complete this procedure.

Certificate of Transmission 37 CFR § 1.8

I hereby certify that this transmission along with all referenced documents is being transmitted to Special Programs Examiner Steven Meyer at Tech Center 3600, via the central fax number of the United States Patent and Trademark Office at Fax No. 703-872-9306 on this 26th day of March, 2005.

David Bogart Dort

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DAVID BOGART DORT

ART UNIT: TECH CENTER 3600

APPLICATION NO.: 10/786,177

FILED: FEBRUARY 23, 2004

ATTY DOCKET. 3526-2-7-B (REVISED)

FOR: **TRAFFIC CONTROL AND VEHICLE SPACER SYSTEM FOR THE PREVENTION OF HIGHWAY GRIDLOCK**

Steven N. Meyers
Tech Center 3600
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

REVISED PETITION TO MAKE SPECIAL UNDER 37 C.F.R. §1.102; MPEP 708.02 (VIII) Based on Search by Applicant

Dear Examiner Meyers:

On March 16, 2005, the Commissioner rejected a Petition to Make Special in the above identified Application, due to a missing formality of including the election without traverse requirement. The following petition has been corrected and has been timely re-submitted. Please accelerate examination of the above-reference Application.

1. I am the inventor in the above-captioned case and a registered patent attorney and I have caused two searches to be conducted. The searches were conducted by the independent search company NERAC of Tollings, CT on February 20 and 23, 2004, Jay Zocco investigator, and submitted in an IDS, submitted with the Patent Application filing on February 23, 2004.

2. I have reviewed the search results and chosen what appear to me to be the most relevant teachings. However, the search is submitted for the Examiner's inspection.

3. The main search classes for this claimed invention are: class 701, subclasses, 2, 10, 24, 32, 36, 91, 93, 96, 110, 121, and 301. Of particular relevance is class 93. Also relevant is class 340, subclasses, 904-905, 934, 991 and 993, also relevant is class 703, subclass 2 (mathematical modelling).

4. I have reviewed the references submitted in the search report and I believe that none of them appear to prevent the allowance of the claims under 35 USC 102 or 103.

5. The following references and comments following relating to the claimed invention are submitted for the Examiner's consideration:

ff. Search No.1207384.004, *EXTERNAL CONTROL OF AUTOMOBILE (ACCELERATION) USING RF(ID)* by NERAC, Jay Zocco, Investigator, February 19, 2004. (400 pages).

gg. Search No.1207384.007, *EXTERNAL CONTROL OF AUTOMOBILE (ACCELERATION) USING RF(ID)* by NERAC, Jay Zocco, Investigator, February 23, 2004. (15 pages).

a. US Pat. Publication 2001-3808 by Jeon (NERAC #65, #216) from US Pat. App. Serial No. 09/727,798 teaches a the RF control of a vehicle in a particular driving state. Also US Pat. 6,356,833.

b. WIPO Pat. Publication 2000-11629 to Olsson (NERAC listings #147, 211) teaches reducing traffic through route control (See also US Pat 6,427,114).

c. WIPO Pat. Publication 1998-35276 to Douglas (NERAC Listing #155) teaches a navigating system using RF transmission to vehicles in a workplace.

d. US Pat. 5,289,183 to Hassett et. al. (NERAC listing #318) teaches a plurality of read write transponders in roadway sensors that collect information about specific vehicles.

e. US Pat. Publication 2003-0222180 to Hart et al (NERAC listings #6, 66, 183) from 10/157,859 teaches a roadside vehicle control unit based on a tag reader. (See also EP pat. Pub. 1366967, US Patent 6,666,411).

f. US Pat. Pub. 2003-0216582 to Wilson (NERAC listing #8) teaches a maximum speed monitoring device that is programmable.

g. US Pat. Pubs. 2003-0004633 and 2002-0072843 to Russell et. al. (NERAC listing #35 and #51) from US App. Serial Nos. 10/217128 and 09/931630 teaches a system for adjusting cruise control so that a safe distance is kept between vehicles.

h. US Pat. Pub 2002-0084887 to Arshad et. al (NERAC listing #48) from US App. 09/752,009 teaches monitoring a vehicle by transponder in order to prevent disabling operation of the vehicle.

i. US Pat. Pub. 2002-67660 to Bokhour (NERAC listings #52, 123) from US App. 09/977,858 teaches collision avoidance system based on RF.

j. US Pat. Pubs. 2002-32515 and 2002-16663 to Nakamara (NERAC listings #55 and 58) from US App. 09/986364 and 944201 teaches a collision avoidance system by measuring the distance from the preceding vehicle.

k. EP pat pub 95110303.5 to Raytheon (NERAC listing # 96) teachs a collision and radar system for collision avoidance applications.

l. EP Pat. 667020 to Intrass (NERAC listing #97) teaches

m. Millimeter Wave Radar Technology for Automotive Application *Mitsubishi Electric Adv.* 2001. (NERAC listing #107)

n. WIPO Pat. Pub. 2003104833 to Hartzstein (NERAC listing #109) teaches a forward mm wave reflector.

o. WIPO Pat. Pub. 2002-14098 to Lipper (NERAC listing #126) teaches an adaptive cruise control system (see d. above).

p. WIPO Pat. Pubs. 2001-26329 and 26068 to Gelvin (NERAC listings # 133-34) teach systems for networking sensors in a wired and wireless environments.

q. WIPO Pat. Pub. 2000-58752 to Sorrels et al (NERAC listing #139) teaches RFID tags with sensor inputs.

r. WIPO Pat. Pub. 2000-46743 to Cohen (NERAC listing #143) teaches an array tracking system.

s. WIPO Pat. Pub. 2000-24626 to Gilbert et al (NERAC listing #145) teaches control of multiple vehicle on a monorail through a network.

t. WIPO Pat. Pub. 1995-19598 to Knapp (NERAC listing #166) teaches an automotice RF control system.

u. WIPO Pat. Pub. 1995-1607 to James (NERAC listings #168, 311) teaches an automated highway in which the vehicle can communicate through transponders. See US Pat. 5,420,794.

v. Global Deployment of Advanced Transportation Telematics, ISATA 1996, *Reflecting Tomorrow's Highways Today: The Use of RF Backscatter reflection in automatic vehicle identification (AVI) systems.* 6/3/96.

w. US Pat. 6,155,558 to Testa (NERAC #235) teaches a speed limit transmission device.

x. US Pat. 6,112,152 to Tuttle (NERAC #240) teaches am RFID communication system for an automobile.

y. US Pat. 6011515 to Radcliffe et al (NERAC #255) teaches a system for sensing traffic conditions and relaying them to a traffic center.

z. US Pat. 5,803,043 and 5,796,051 to Bayron et al (NERAC #273, 277) teaches a input system for a power and speed controller.

aa. US Pat. 5,526,357 to Jandrell (NERAC #303) teaches a system for locating a transponder unit.

bb. US Patent 6,163,277 (NERAC2, #7) to Gehlot teaches a speed limit enforcement system.

cc. US Patent 6,285,943 (NERAC2. #5) to Bolter teaches a speed limit control system.

dd. US Patent 6,134,499 to Goode et. al. (NERAC2, #8) teaches controlling the speed of a vehicle based on accelerator pedal position.

ee. US Patent 6,106,458 to Robinson et. al (NERAC2 #12) teaches a detection a speed sensor for a vehicle in multiple modes.

None of the above teachings suggests the use of RF/EMF transmission to prevent the non-negative acceleration of a plurality of vehicles by transmission thereby helping to reduce traffic congestion by considering events detected in a target zone. Thus it is belived that the present invention is allowable over these teaching.

6. The Applicant asserts that the claims are directed to a single invention. However, in the event that the Commissioner finds that the claims cover more than a single invention, the Applicant will elect a single invention without traverse. (37 CFR §1.102)

No fees are believed to be due, as this is a Revised Petitioned to Make Special. Nevertheless, the Commissioner is authorized to charge any fees due for this petition to Deposit account No. 50-3068 (Atty. Docket VRBA.P007.B) or any other fees or refunds that may be required or forthcoming.

Respectfully Submitted,

TIGHE PATTON

ARMSTRONG TEASDALE PLLC

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DN: CN = David Bogart Dort, C = US, O = TIGHE PATTON ARMSTRONG TEASDALE PLLC, OU = Reg. No. 50,213
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David Bogart Dort

Reg. No. 50,213

Dated: March 26, 2005

Washington, DC

Customer No. 42047